

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA

Alexandria Division

_____	)	
LISA SURBEY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 05-228
	)	
STRYKER SALES CORPORATION	)	
d/b/a STRYKER ENDOSCOPY,	)	
	)	
Defendant.	)	
_____	)	

**ORDER**

This matter comes before the Court on Defendant's Motion to Dismiss. It appearing to the Court that Plaintiff has filed an Amended Complaint in this matter which the Court deems filed, and it appearing to the Court that Plaintiff has stated a claim upon which relief may be granted, it is hereby

ORDERED that Defendant's Motion to Dismiss is DENIED without any prejudice to raise issues regarding the limitations period at the end of discovery.

/s/

\_\_\_\_\_  
CLAUDE M. HILTON  
UNITED STATES DISTRICT JUDGE

Alexandria, Virginia  
April 22, 2005